

LAND CONVEYANCE AT CAMDEN, N. J.

JUNE 30, 1952.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. PRIEST, from the Committee on Interstate and Foreign Commerce, submitted the following

REPORT

[To accompany H. R. 5954]

The Committee on Interstate and Foreign Commerce, to whom was referred to bill (H. R. 5954) to provide for the release to the city of Camden of all the right, title, and interest of the United States in and to certain land heretofore conditionally granted to such city, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

THE SECRETARY OF COMMERCE,
Washington 25, June 27, 1952.

Hon. ROBERT CROSSER,

*Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: You have requested the views of this Department with respect to H. R. 5954, a bill to provide for the release to the city of Camden of all the right, title, and interest of the United States in and to certain land heretofore conditionally granted to such city.

The bill would authorize and direct the Secretary of Commerce to donate, convey, relinquish, and release to the city of Camden, N. J., the right, title, and interest of the United States, if any, in and to certain land, approximately $3\frac{3}{10}$ acres, heretofore conditionally granted to said city by deed dated November 20, 1928.

The files of the Maritime Administration of the Department of Commerce disclose that the Fairview Realty Co. (hereinafter described) executed a quitclaim deed to the city of Camden, of the property mentioned in the bill, to have and to hold the same "forever for park, street, or other public purposes." The bill would lift this restriction.

The property mentioned in the bill is a part of two large tracts of land originally acquired by the New York Shipbuilding Corp. during World War I, which was later annexed to the city of Camden, to provide housing facilities for its employees. The Fairview Realty Co. was organized to operate this property and to build homes thereon. The United States Shipping Board advanced the necessary funds for the construction of homes and secured these advances by taking back a first mortgage on the land and buildings from the Fairview Realty Co. At the end of World War I, the Fairview Realty Co. sold and assigned all its stock to the United States Shipping Board. By reason thereof it is believed that whatever assets the said Fairview Realty Co. had were transferred to the Shipping Board.

When a business corporation is dissolved its property equitably belongs to its stockholders (*Mormon Church v. United States*, 136 U. S. 1, 47).

On November 26, 1937, the Fairview Realty Co. was dissolved and the then United States attorney, Joseph J. Quinn, now deceased, was named as the agent of the company upon whom process could be served in the State of New Jersey.

By virtue of the Merchant Marine Act, 1936, as amended, and the Reorganization Plan No. 21 of 1950, the Secretary of Commerce succeeded to the functions and assets of the United States Shipping Board and the Maritime Commission.

Mr. Angelo D. Malandra, an attorney and deputy mayor of the city of Camden, in a letter dated September 26, 1951, to the Honorable Charles A. Wolverton (who introduced the bill), states that the Public Service Co. intends to construct a needed waiting room and bus terminal on part of this property, but such construction has been delayed until the aforesaid restrictive provision in the deed is lifted.

Based on the information furnished and the records of the Maritime Administration, it appears that the United States may only have a reversionary interest in this property in the event that it is not used for "park, street, or other public purposes." The city of Camden was granted the conveyance thereof for the purposes above-mentioned and the construction of a needed bus terminal and waiting room would add to the convenience of the traveling public of that city. Such use of the property would not be inconsistent with the original intent that it be held forever for public purposes as expressed in the deed.

For the foregoing reasons, the Department of Commerce has no objection to the favorable consideration of the bill.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this letter to your committee. If we can be of further assistance in this matter, please call on us.

Sincerely yours,

THOS. W. DAVIS,
Acting Secretary of Commerce.